

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN KNIGHT, DONNA RUSSELL	)	
KNIGHT, CHARLES COLE, VIIU	)	
NIILER, AND COUNTRY GLASS	)	
SHOP,	)	
	)	
Plaintiffs,	)	
	)	<b>Case No. 04 12698 JLT</b>
v.	)	
	)	
CHRISTMAS TREE SHOPS, INC.	)	
	)	
Defendant.	)	

**DEFENDANT CHRISTMAS TREE SHOPS, INC.'S  
NOTICE OF PENDING MOTIONS**

Pursuant to this Court's May 10, 2005 Discovery Order, Defendant Christmas Tree Shops, Inc. provides notification of the following pending motions in the above-captioned matter:

1. Defendant Christmas Tree Shops, Inc.'s Motion to Dismiss the Third and Fourth Counts of Plaintiffs' Complaint; and
2. Defendant Christmas Tree Shops, Inc.'s Motion for a Limited Stay of Discovery Until Resolution of Its Motion to Dismiss the Third and Fourth Counts of Plaintiffs' Complaint.

Defendant Christmas Tree Shops, Inc. is prepared to argue both of these pending motions during the June 7, 2005 Scheduling Conference for this matter.

Respectfully submitted,

**CHRISTMAS TREE SHOPS, INC.**

By its attorneys:

/s/ Breton Leone-Quick

Peter A. Biagetti, Esq., BBO# 042310

Breton Leone-Quick, Esq., BBO# 655571

MINTZ, LEVIN, COHN, FERRIS,

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Dated: May 31, 2005

**CERTIFICATE OF SERVICE**

I, Breton Leone-Quick, hereby certify that a true and exact copy of Defendant Christmas Tree Shops, Inc.'s Notice of Pending Motions, has been served electronically and by fax and by mail on May 31, 2005, to the attorneys for plaintiffs listed below:

<b>Mr. Joel Joseph, Esq.</b> 7272 Wisconsin Ave. #300 Bethesda, MD 20814 Fax: 240-209-4000	<b>Daniel E. Chaika, Esq.</b> Chaika & Chaika 30 Rolfe Square Cranston, RI 02910 Fax: 401-941-5299
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Dated: May 31, 2005

/s/ Breton Leone-Quick